



**REGULAR MEETING OF THE COMMON COUNCIL
MIDDLETOWN CONNECTICUT
JULY 5, 2016**

The regular meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building on Monday, July 5, 2016 at 7 p.m.

Present:

Mayor Daniel T. Drew, Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilwoman Linda Salafia, Common Council Clerk Marie O. Norwood

Absent:

Councilman Philip J. Pessina, and Corporation Counsel Daniel B. Ryan

Also Present:

Three members of the public.

1. Mayor calls meeting to order.

The Mayor calls the meeting to order at 7:01 and welcomes the public to the regular July Council Meeting. He leads the public in the Pledge of Allegiance.

The call of the meeting is read; the chair declares the call a legal call and the meeting a legal meeting.

2. Accept/Amend the Agenda.

Councilman Thomas J. Serra reads and moves for approval amending the agenda by substituting agenda item 13, Mayor's Appointments.. Councilman Gerald E. Daley seconds the motion. The chair calls for the vote. It is 10 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 2 absent by Councilwoman Mary A. Bartolotta, Councilman Philip J. Pessina. The Chair states the matter carried with 10 affirmative votes, 0 in opposition and 2 absent.

3. Presentations

The chair states there are no presentations and asks for a motion to approve the minutes.

4. Mayor requests motion to approve minutes of:

The minutes having been deposited with the Mayor and Corporation Counsel and copies of the same having been served on each and every Council member, the reading of the same having been dispensed with, the Chair requests a motion to approve the minutes. Councilman Thomas J. Serra reads and moves for approval the minutes of June 6, 2016 at 7 p.m. and Special Meeting of June 6, 2016 at 6 p.m. Councilman Sebastian N. Giuliano seconds the motion. The chair calls for the vote. It is 10 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 2 absent by Councilwoman Mary A. Bartolotta, Councilman Philip J. Pessina. The Chair states the matter carried with 10 affirmative votes, 0 in opposition and 2 absent.

5. Public Hearing opens on Bond Ordinance.

The chair opens the public hearing on the bond ordinance at 7:03 and asks if there are any members of the public wishing to address it.

- A. An ordinance amending an ordinance appropriating \$750,000 for the Planning, engineering, and installation of a web based network security system in schools Citywide and authorizing the issue of \$750,000 bonds of the City to meet said appropriation and pending the issuance

thereof the making of temporary borrowings for such purpose to include solar/security window film in schools and Board of Education Administrative offices Citywide within such appropriation and Bond authorization.

6. Public Hearing closes.

The chair, seeing no members of the public wishing to speak closes the public hearing on the bond ordinance at 7:03 p.m.

7. Public Hearing opens on Agenda Items.

The Chair opens the public hearing on agenda items at 7:04 p.m. and asks if there are any members of the public wishing to speak to come forward and give their name and address for the record and to keep remarks within 5 minutes.

Earle Roberts speaks in opposition to 9A, the replacement of sidewalks. In 2005 there was a bond referendum for City streets and part of it was for a section near where he lives and it hasn't been touched yet. He has been to Public Works Commission for 8 years and nothing happened. When the expenditure is approved by the people he would expect to have the work done. a friend stopped by and he couldn't believe the damage at the end of his driveway. It is the expenditure and accountability. He will not support this and thinks it wrong and you should instruct your committees to better solutions.


8. Public Hearing closes

The chair, seeing no other members wishing to speak to any agenda items, closes the public hearing at 7:06 p.m.

9. Mayor requests Council Clerk to read bond ordinance requests and the Certificate of Director of Finance.

Notice

P&C Draft
6/20/16



CITY OF MIDDLETOWN

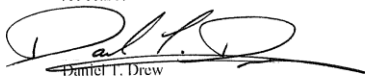
MAYOR'S OFFICE
MUNICIPAL BUILDING

NOTICE OF APPROPRIATION

Notice is hereby given that a meeting of the Common Council of the City of Middletown will be held in the Council Chamber of the Municipal Building on July 14, 2016, Immediately following the 7 p.m. meeting to consider and act upon the following Appropriation Ordinance:

AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$750,000 FOR THE PLANNING, ENGINEERING AND INSTALLATION OF A WEB BASED NETWORK SECURITY SYSTEM IN SCHOOLS CITYWIDE AND AUTHORIZING THE ISSUE OF \$750,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE TO INCLUDE SOLAR/SECURITY WINDOW FILM IN SCHOOLS AND BOARD OF EDUCATION ADMINISTRATIVE OFFICES CITYWIDE WITHIN SUCH APPROPRIATION AND BOND AUTHORIZATION

Any and all persons interested may appear and be heard. The complete text of the proposed Ordinance is on file and open to public inspection in the office of the City Clerk.

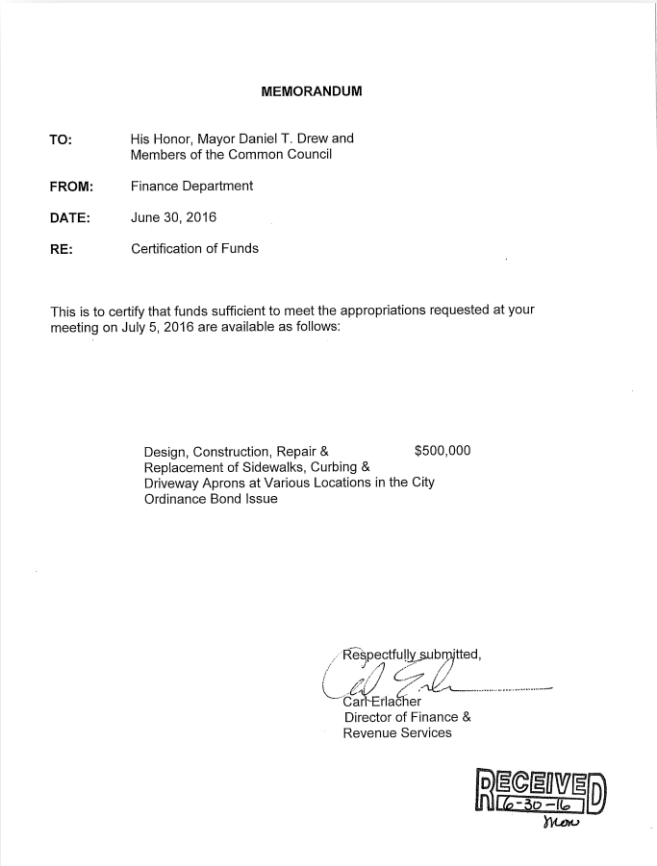
ATTEST:

 Daniel T. Drew
 Mayor

Dated at Middletown, Connecticut, this 1st day of July, 2016.

The Council Chamber is wheelchair accessible. If you require special accommodations for any meeting, please call the (860) 638-4812 (TDD/TTY) or the Town Clerk's Office at (860) 638-4910 at least ten days prior to the scheduled meeting.

ACTIVE/75077.1/ERUSSELL/5863548v1

Director of Finance Certification



Noted for the Record
Councilwoman Bartolotta takes her seat in the chamber at 7:10.

- A. AN ORDINANCE APPROPRIATING \$500,000 FOR THE DESIGN, CONSTRUCTION, REPAIR AND REPLACEMENT OF SIDEWALKS, CURBING, AND DRIVEWAY APRONS AT VARIOUS LOCATIONS IN THE CITY AND AUTHORIZING THE ISSUE OF \$500,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE**
(Approved)

Ordinance No. 11-16
File Name Middletown-Sidewalk Repair_replacement BondOrdiannce (6-22-16)(3)

Section 1. The sum of \$500,000 is hereby appropriated for the design, construction, repair and replacement of sidewalks, curbing, and driveway aprons at various locations throughout the City as determined based on need and in conjunction with the sidewalk conformance inspector of the Public Works Department, and for all related services, improvements and costs, including, without limitation, surveying, landscape architecture, engineering, architecture, construction, administration, and inspection; and all other costs necessary or appropriate for the project, including a contingency amount necessary to cover unexpected construction costs, project administration, advertising, printing, legal, and financing costs related thereto (hereinafter the "Project"). Said appropriation shall be inclusive of all state and federal grants in aide thereof. The Public Works Department shall periodically report to the Public Works and Facilities Committee of the Common Council on the status of the planned and completed Project work.

Section 2. The expected useful life of the Project is in excess of twenty (20) years. The total estimated cost of the Project is \$500,000, no portion of which is expected to be paid from sources other than the proposed bond issue.

Section 3. To meet said appropriation, \$500,000 bonds of the City, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the twentieth (20th) year after their date, or such later date as may be allowed by law. The bonds may be issued in one or more series as shall be determined by the Mayor and the City Treasurer, and the amount of bonds of each series to be issued shall be fixed by the Mayor and the City Treasurer. The bonds shall be issued in an amount necessary to meet the City's share of Project costs determined after considering the estimated amounts of grants in aid of the Project and will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the City and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the manual or facsimile signatures of the Mayor and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor and the City Treasurer, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor and the City Treasurer, and be approved as to their legality by Bond Counsel. The bonds shall bear such rate or rates of interest (whether fixed or floating) as shall be determined by the Mayor and the City Treasurer. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon and paid from property taxation to the extent not paid from other funds available for the payment thereof. The aggregate principal amount of the bonds of each series, the annual installments of principal, maturity dates, prices, redemption provisions, if any, time of issue and sale, and other terms, details and particulars of such bonds, including the terms of any reserve that might be established as authorized herein, shall be determined by the Mayor and the City Treasurer in the best interests of the City and in accordance with the requirements of the General Statutes of Connecticut, as amended.

Section 4. Said bonds shall be sold by the Mayor and City Treasurer in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be at not less than par and accrued interest on the basis of the lowest net or true

interest cost to the City, or comparable method. If the bonds are sold by negotiation, the purchase contract shall be approved by the Mayor and City Treasurer.

Section 5. The Mayor and the City Treasurer are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said bonds. Notes evidencing such borrowings shall be signed by the manual or facsimile signatures of the Mayor and the City Treasurer, have the seal of the City or a facsimile thereof affixed, be payable at a bank or trust company designated by the Mayor and the City Treasurer, be certified by a bank or trust company designated by the Mayor and the City Treasurer pursuant to the General Statutes of Connecticut, as amended, and be approved as to their legality by Bond Counsel. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of said bonds the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 6. In connection with the issuance of any bonds or notes authorized herein, the City may exercise any power delegated to municipalities pursuant to Section 7-370b, as may be approved and executed by the Mayor and the City Treasurer, including the authority to enter into agreements moderating interest rate fluctuation, provided any such agreement or exercise of authority shall be approved by the Common Council.

Section 7. With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the Mayor and City Treasurer are authorized, but not required, to apply original issuance premium and bid premium, if applicable, to fund future debt service payments on such bonds or notes or to fund any purpose for which bonds of the City are authorized to be issued, and such application shall reduce the amount of authorized and unissued bonds of the purpose to which the premium was applied, in the amount so applied.

Section 8. In order to meet the capital cash flow expenditure needs of the City, the Director of Finance, with notice to and advice from the Mayor and the City Treasurer, is authorized to allocate and reallocate expenditures incurred for the Project to any bonds or notes of the City outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose, including the bonds and notes and Project herein authorized.

Section 9. The issue of the bonds aforesaid and of all other bonds or notes of the City heretofore authorized but not yet issued, as of the effective date of this Ordinance, would not cause the indebtedness of the City to exceed any debt limit calculated in accordance with law as shown by the "Debt Statement" attached hereto.

Section 10. The Mayor is hereby authorized to spend a sum not to exceed the aforesaid appropriation for the purposes set forth herein, and the Mayor is specifically authorized to make, execute and deliver any contract or contracts, and any other documents necessary or convenient to complete the improvements authorized herein and the financing thereof.

Section 11. The Mayor, the City Treasurer, the Director of Finance and any other proper City official are each hereby authorized to apply for and accept any available State or Federal grant in aid of the financing of the Project, and to take all action necessary or proper in connection therewith.

Section 12. The City hereby expresses its official intent pursuant to 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid 60 days prior to and after the date of passage of this ordinance in the maximum amount and for the Project with the proceeds of bonds, notes, or other obligations authorized to be issued by the City. Such obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date as the Regulations may authorize. The City hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay project expenses in accordance herewith pending the issuance of any such reimbursement obligations, and to amend this declaration.

Section 13. The Director of Finance is hereby authorized to exercise all powers conferred by Section 3-20e of the general statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance.

Section 14. This ordinance shall become effective fifteen days after its publication in a newspaper of general circulation in the City pursuant to Section 5 of the City Charter.

DEBT STATEMENT			
April 30, 2016			
CITY OF MIDDLETOWN, CONNECTICUT			
ANNUAL RECEIPTS FROM TAXATION AND REIMBURSEMENTS ("BASE")			
Fiscal Year Ended June 30, 2015			121,572,543
BORROWING CAPACITY FOR EACH CLASS			
2-1/4 times base for General Purposes			273,538,222
4-1/2 times base for Schools			547,076,444
3-3/4 times base for Sewers			455,897,036
3-1/4 times base for Urban Renewal			395,110,765
3 times base for Unfunded Past Benefit Obligations			364,717,629
MAXIMUM AGGREGATE BORROWING CAPACITY (7 times Base)			851,007,801
INDEBTEDNESS BONDS AND NOTES:			
GENERAL PURPOSES		59,728,225	
SCHOOLS		9,464,400	
SEWERS		5,061,550	
URBAN RENEWAL		-	
UNFUNDED PAST BENEFIT OBLIGATIONS		-	
BONDS AND NOTES AUTHORIZED BUT UNISSUED			
GENERAL PURPOSES		53,509,220	
SCHOOLS		748,000	
SEWERS		26,746,130	
URBAN RENEWAL		-	
UNFUNDED PAST BENEFIT OBLIGATIONS		-	
CLEAN WATER FUND LOANS:			
SEWERS		4,608,136	
SUB-TOTAL INDEBTEDNESS		159,865,661	
LESS			
FEDERAL AND STATE OF CONNECTICUT BUILDING GRANTS, COMMITMENTS AND RECEIVABLES			
GENERAL PURPOSE		-	
SCHOOLS		-	
SEWERS		15,000,000	
URBAL RENEWAL		-	
TOTAL DEDUCTIONS		15,000,000	
NET INDEBTEDNESS			144,865,661
BALANCE OF BORROWING CAPACITY FOR EACH CLASS:			
GENERAL PURPOSE		160,300,777	
SCHOOLS		536,864,044	
SEWERS		434,481,220	
URBAL RENEWAL		395,110,765	
UNFUNDED PAST BENEFIT OBLIGATIONS		364,717,629	
BALANCE OF MAXIMUM AGGREGATE BORROWING CAPACITY AVAILABLE			706,142,140

Councilman Carl R. Chisem reads and moves for approval an ordinance appropriating \$500,000 for the design, construction, repair and replacement of sidewalks, curbing, and driveway aprons at various locations in the city and authorizing the issue of \$500,000 bonds of the city to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose. He continues to read through Section 1 of the bond. Councilman Thomas J. Serra seconds the motion.


Motion to Waive the Rules

Councilman Daley moves to waive the rest of the reading of the ordinance; Councilman Giuliano seconds the motion. The chair calls for the vote and it is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously. Councilman Pessina is absent from the vote.

The chair calls for the vote. It is 11 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Philip J. Pessina. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

10. Department, Committee, Commission Reports and Grant Confirmation Approval.

A. City Clerk's Certificate
(Approved)




City of Middletown
City & Town Clerk's Office
245 deKoven Drive
Middletown, CT 06457


CERTIFICATION

I, Linda Bettencourt, City and Town Clerk of the City of Middletown, and custodian of the records and seal thereof, hereby certify that all ordinances and appropriations passed and adopted at the regular meeting of the Common Council on June 6, 2016 at 7:00 p.m. and the special meeting on June 6, 2016 at 6:00 p.m., have been advertised in the local newspaper.

Dated at Middletown, Connecticut, this 1st day of July, 2016.

Attest:


Linda Bettencourt
City & Town Clerk



◆ Phone (860) 638-4910 ◆ Fax (860) 638-1910 ◆ TDD (860) 638-4812

B. Monthly Reports:
Finance Department - Transfer Report to June 21, 2016
(Approved)

Transfers of Funds - Operating Budget Accounts					
		From 5/26/16	To 6/21/16		
FY 2015-2016					
Date	Department	Budget Item	From Account No.	To Account No.	Amount
05/31/16	Parking	Contractual Services	2030-18500-55185		(2,500.00)
		Meters, Poles & Housing Maint & Improve		2030-18500-53349-x-x-2013	2,500.00
06/01/16	PW/Bldg & Grnds	Contractual Services	1000-22000-55185-0229		(2,000.00)
	PW/Highway	Code Enforcement		1000-22000-55719-0226	2,000.00
06/01/16	Landfill	Contractual Services	2380-22000-55185		(10,000.00)
		Waste Removal		2380-22000-55410	10,000.00
06/02/16	Water	Contingency Fund	5000-60000-57020		(1.00)
		Interdepartmental Services		5000-60000-52125	1.00
06/02/16	Sewer	Contingency Fund	2050-65000-57020		(1.00)
		Interdepartmental Services		2050-65000-52125	1.00
06/02/16	Parking	General Vehicle Services	1000-18500-53510		(575.00)
		Contractual Services	1000-18500-55185		(2,000.00)
		General Tech, Maint & Improve		1000-18500-55810	2,000.00
		Salaries & Wages, PT Perm		1000-18500-51215	1,767.00
		Office Equipment Maintenance	1000-18500-55436		(382.00)
		Meter Repair & Replacement	1000-18500-53266		(800.00)
06/02/16	Parking	Genl Agency Supplies & Equipment	1000-18500-53005		(1,850.00)
		Contractual Services	1000-18500-55185		(500.00)
		Meter Repair & Replacement		1000-18500-53266	2,350.00
06/01/16	Special	Contingency Fund	1000-27000-57020		(1,744.00)
		Professional Memberships		1000-27000-52165	1,744.00
06/03/16	Fire	Fuel Oil	2010-50000-54150-0500		(5,000.00)
		Natural Gas/Propane	2010-50000-54130-0500		(4,000.00)
		Gasoline	2010-50000-53540-0500		(4,000.00)
		General Specialized Equipment	2010-50000-53100-0500		(6,000.00)
		Unused Sick Pay	2010-50000-51960-0500		(5,134.00)
		Bond Issue Principal	2010-50000-57310-0500		(1,050.00)
		Uniform Allowance		2010-50000-51950-0500	25,184.00
06/07/16	Human Resources	Arbitration Services	1000-05000-55135-0170		(2,000.00)
	OSG	General Administrative		1000-05000-52110-0050	2,000.00

06/07/16	Emer Mgmt	Gasoline	1000-25500-53540		(1,500.00)
		General Administrative		1000-25500-52110	1,500.00
06/07/16	PCD	General Administrative	1000-14000-52110		(275.00)
		Video		1000-14000-53350	275.00
06/07/16	Animal	Uniform Allowance	1000-18000-51950-0182		(472.00)
		Postage	1000-18000-52150-0182		(985.37)
		General Administrative	1000-18000-52110-0182		(927.55)
	Police	Communication Equipment Maintenance	1000-18000-55440-018		(1,000.00)
		Contractual Services	1000-18000-55185-0180		(15,000.00)
		Tires	1000-18000-53530-0180		(3,052.10)
		Vaccinations	1000-18000-53170-0180		(1,000.00)
		Prof Develop/Training	1000-18000-51930-0180		(10,000.00)
		Uniform Allowance	1000-18000-51950-0180		(4,500.00)
		General Administrative	1000-18000-52110-0180		(3,500.00)
		Spec Agency Supplies & Equipment		1000-18000-53102-0180	1,000.00
		Overtime		1000-18000-51340-0180	30,000.00
		Replacement OT		1000-18000-51357-0180	9,448.06
06/09/16	Special	Telephone	1000-27000-54110		(13,792.90)
		Employment Agencies	1000-27000-55185-0030		(5,000.00)
		Postage		1000-27000-52150	18,792.90
06/09/16	Sanitation	Diesel Fuel	2020-40000-54180		(1,650.00)
		Interdepartmental Services		2020-40000-52125	1,650.00
06/09/16	Fire	Salaries & Wages, FT Perm	2010-50000-51110-0500		(5,000.00)
		Uniform Allowance		2010-50000-51950-0500	5,000.00
06/09/16	Parking	General Tech, Maint & Improve	1000-18500-55810		(1,000.00)
		General Administrative		1000-18500-52110	1,000.00
06/09/16	Parking	Uniform Allowance	1000-18500-51950		(42.00)
		Office Equipment Maintenance		1000-18500-55436	42.00
06/09/16	Fire	Natural Gas/Propane	2010-50000-54130-0500		(1,731.00)
		Telephone	2010-50000-54110-0500		(1,447.00)
		Electricity	2010-50000-54200-0500		(2,275.00)
		Repairs/Maintenance to Buildings		2010-50000-53380-0500	5,453.00
06/09/16	Parking Fund	Bank, Administrative or Transactions Fee	2030-18500-53352-x-x-2013		(500.00)
		Meters,Poles & Housing Maint& Improve	2030-18500-53346-x-x-2013		(300.00)

		Arcade Infrastructure Repairs & Demolition		2030-18500-53578-x-x-2014	800.00
06/09/16	Town Clerk	Elections	1000-04000-52195		(1,600.00)
		Contractual Services		1000-04000-55185	1,600.00
06/09/16	PCD	Contractual Services	1000-14000-55185		(750.00)
		Property Management		1000-14000-53185	750.00
06/09/16	Health	Cell Phone	1000-31000-54120		(175.00)
		General Vehicle Services		1000-31000-53510	175.00
06/10/16	Human Resources	Arbitration Services	1000-05000-55135-0170		(16,500.00)
	OGC	General Administrative		1000-05000-52110-0050	681.33
		Contractual Services		1000-05000-55185-0050	15,500.00
		Court Costs		1000-05000-55130-0050	318.67
06/10/16	Human Resources	Professional Services	1000-05000-55100-0170		(500.00)
	OGC	General Administrative		1000-05000-52110-0050	500.00
06/10/16	IT	Network Access	1000-03500-55220		(3,300.00)
		Consultant Services		1000-03500-55180	3,300.00
06/10/16	PW/Garage	General Vehicle Services	1000-22000-53510-0225		(10,000.00)
	PW/Traffic	Traffic Sign Supplies & Equipment		1000-22000-53260-0231	1,000.00
	PW/Highway	General Specializrd Equipment		1000-22000-53100-0226	5,000.00
		Tree Service		1000-22000-55475-0225	500.00
	PW/Building	Cell Phone		1000-22000-54120-0221	250.00
	PW/Garage	Tires		1000-22000-53530-0225	3,250.00
06/13/16	Sanitation	Waste Removal	2020-40000-55410		(10,000.00)
		General Vehicle Services		2020-40000-53510	10,000.00
06/13/16	IT	Web Site	1000-03500-55360		(643.04)
		General Tech, Maint & Improvement		1000-03500-55810	643.04
06/13/16	Recreation	Busing	1000-32000-55415-0321		(3,500.00)
		General Administrative		1000-32000-52110-0321	800.00
		Misc Supplies		1000-32000-53115-0321	2,700.00
06/13/16	Library	Office Equipment Maintenance	1000-07000-55436		(147.32)
		Water	1000-07000-54170		(631.41)
		Telephone	1000-07000-54110		(110.20)
		Subscriptions	1000-07000-53425		(1,861.26)
		Overtime	1000-07000-51340		(2,125.64)

		Young Adult		1000-07000-53415	11.72
		Salaries & Wages, PT Perm		1000-07000-51215	8,333.24
		General Administrative	1000-07000-52110		(3,469.13)
06/13/16	IT	General Tech, Maint & Improvement	1000-03500-55810		(560.00)
		Network Access		1000-03500-55220	560.00
06/16/16	Communications	Contractual Services	1000-18700-55185		(650.00)
		Salaries & Wages, PT Perm		1000-18700-51215	650.00
06/16/16	Assessor	Mileage	1000-10000-52130		(2,375.00)
		General Administrative		1000-10000-52110	2,375.00
06/16/16	Human Resources	Testing Services & Materials	1000-05000-554800170		(650.00)
	OGC	General Administrative		1000-05000-52110-0050	650.00
06/17/16	Senior	Contractual Services	1000-32000-55185-0130		(5,000.00)
		Repairs/Maintenance to Buildings		1000-32000-53380-0130	500.00
		General Administrative		1000-32000-52110-0130	2,000.00
		General Specialized Equipment		1000-32000-53100-0130	2,500.00
06/17/16	Alarms	General Administrative	1000-60600-52110		(90.00)
		Cell Phone		1000-60600-54120	90.00
06/21/16	Communicationa	Contractual Services	1000-18700-55185		(2,000.00)
		General Administrative		1000-18700-52110	2,000.00
					0.00

C. Grant Confirmation and Approval - Board of Education, Various Grants (Approved)

CITY OF MIDDLETOWN
MUNICIPAL BUILDING
MIDDLETOWN, CONNECTICUT 06457

REQUEST FOR COMMON COUNCIL CONFIRMATION AND APPROVAL
OF THE FOLLOWING GRANT

Grant Number: 270

Date of Request: 6/16/2016

Name of Grant: as listed below

Amount Requested: \$1,190,785.96

Code: 2450-33000-59405-X-03025

Grant Period: From: 7/1/2015 To: 6/30/2016

Rev Code: 2450-33000-43480-X-X

Type of Grant:

Amount Loaned from General Fund: \$0.00

Department Administering Grant: Middletown Board of Education

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this Grant:

2377 - ADED Provider State (\$19,969.00); 2378 - ADED Coop Elig Entity \$28.00; 2417 - Magnet School Transportation (\$14,300.00); 2552 - Alliance District School Building \$173,395.00; 2553 - Public Fleet EV Incentive Pgm (\$2,122.00); 2401 - SPED Excess Cost \$553,324.00; 2717 - PLTI Privite Contributions \$1,000.00; 2723 - Universal Service Fund \$9,117.53 ERATE refund restored; 2732 - SWAIM Strings Pgm \$7,572.00; 2799 - Food Services \$238,577.02; 8001 - Retirees/COBRA Ins \$195,997.08; 8003 - Workers Comp \$2,723.13; 8004 - Preschool Pgm Fees \$1,214.00; 8009 - Maintenance/Rentals \$2,049.00; 8021 - Student Guardian Bus Camera (\$1,082.00) city reversed revenue received; 8023 - Central Office Receipts \$10,805.39; 8033 - ADED Receipts \$453.75; 8034 - ADED Enrichment \$5,000.00; 8035 - ADED Other Receipts \$65.00; 8036 - Even Start Family Learn Pgm \$833.00; 8093 - Fingerprinting Receipts \$236.00; SPED Tuition Reimbursement \$23,711.06; Keigwin Parent Fees \$1,635.00; 9150 - Student Activities - MHS \$523.00 Total Special Programs through 5/16/16 \$18,729,530.61 ADDITIONS \$1,190,785.96 Special Programs through 6/16/16 \$19,920,316.57.

Signature: Patricia Charles

Requested by: Patricia Charles, ED.D

Status:

Status Date:

D. Grant Confirmation and Approval - Health Department, Kids Health & Safety (Approved)

CITY OF MIDDLETOWN MUNICIPAL BUILDING MIDDLETOWN, CONNECTICUT 06457			
REQUEST FOR COMMON COUNCIL CONFIRMATION AND APPROVAL OF THE FOLLOWING GRANT			
Grant Number:	272	Date of Request:	6/16/2016
Name of Grant:	Kids Health and Safety		
Amount Requested:	\$1,000.00	Code:	3070-31000-57030-x-03380-x-x <i>STW</i>
Grant Period: From:	7/1/2016	To:	6/30/2017
		Rev Code	3070-31000-48195-x-x-x-x
Type of Grant:	local	Amount Loaned from General Fund:	\$0.00
Department Administering Grant:	Health		
<p>When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.</p>			
<p>Description of services to be provided by this Grant:</p> <p>Middletown Kids Health & Safety Day: offer educational information about wellness, interactive exhibits, health screenings, child identification, etc. Middletown Substance Abuse #289 \$1,000</p>			
Signature:		<i>Joseph Havicek</i>	
Requested by:		Joseph Havicek, MD	
Status:			
Status Date:			

E. Grant Confirmation and Approval - Health Department, Preventative Health (Approved)

CITY OF MIDDLETOWN MUNICIPAL BUILDING MIDDLETOWN, CONNECTICUT 06457	
REQUEST FOR COMMON COUNCIL CONFIRMATION AND APPROVAL OF THE FOLLOWING GRANT	
Grant Number: 274	Date of Request: 6/16/2016
Name of Grant: Preventative Health Block Grant	
Amount Requested: \$12,985.00	Code: 3070-31000-52137-x-03377-2017-x <i>59200</i>
Grant Period: From: 7/1/2016 To: 6/30/2017	Rev Code: 3070-31000-43242-x-03377-2017-x <i>SEA</i>
Type of Grant: State	Amount Loaned from General Fund: \$12,985.00
Department Administering Grant: Health	
<p>When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.</p>	
Description of services to be provided by this Grant:	
Preventative Health Block Grant - Smoking cessation has been chosen as the subject of the Preventative Health Block Grant. Educator will perform activities and provide educational information to help individuals and families reduce the risk of smoking.	
Signature: <i>[Signature]</i>	
Requested by: Joseph Havlicek, MD	
Status:	
Status Date:	

F. Grant Confirmation and Approval - Health Department, CROG (Approved)

CITY OF MIDDLETOWN MUNICIPAL BUILDING MIDDLETOWN, CONNECTICUT 06457			
REQUEST FOR COMMON COUNCIL CONFIRMATION AND APPROVAL OF THE FOLLOWING GRANT			
Grant Number:	273	Date of Request:	6/16/2016
Name of Grant:	CROG		
Amount Requested:	\$14,800.00	Code:	3230-31000-59200-x-04187-2017-x <i>SM</i>
Grant Period:	From: 7/1/2016	To: 6/30/2017	Rev Code 3230-31000-43242-x-04187-2017-x
Type of Grant:	STATE	Amount Loaned from General Fund:	\$0.00
Department Administering Grant:	Health		
<p>When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.</p>			
<p>Description of services to be provided by this Grant:</p> <p>Capitol Region Council of Governments- funds to support Medical Reserve Corp operations including advertising, medical materials, office materials, training, and operations.</p>			
Signature:		<i>[Signature]</i>	
Requested by:		Joseph Havlicek, MD	
Status:			
Status Date:			

- G. Grant Confirmation and Approval - Board of Education (decrease) WWMS Security Phase II, to correct a posting error**
(Approved)

CITY OF MIDDLETOWN

MUNICIPAL BUILDING

MIDDLETOWN, CONNECTICUT 06457

REQUEST FOR COMMON COUNCIL CONFIRMATION AND APPROVAL

OF THE FOLLOWING GRANT

Grant Number:271

Date of Request:6/16/2016

Name of Grant:WWMS Secutty Phase II

Amount Requested:(\$91,519.18)

Code:2450-33000-59405-X-03029

Grant Period: From:7/1/2015 To:6/30/2016 Rev Code2450-33000-43480-X-03029

Type of Grant:Amount Loaned from General Fund:\$0.00

Department Administering Grant:Middletown Board of Education

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this Grant:

Reversal of Grant Confirmation from May 2nd of \$91,519.18 that was posted twice in error. Original Grant Confirmation was posted on March 7th.

Signature:Patricia Charles

Requested by:Patricia Charles, ED. D

Status:

Status Date:

H. Grant Confirmation and Approval - Mayor's Office/School Readiness (Approved)

CITY OF MIDDLETOWN
MUNICIPAL BUILDING
MIDDLETOWN, CONNECTICUT 06457

REQUEST FOR COMMON COUNCIL CONFIRMATION AND APPROVAL
OF THE FOLLOWING GRANT

Grant Number: 275

Date of Request: 6/20/2016

Name of Grant: School Readiness

Amount Requested: \$2,201,092.00

Code: 3730-33000-59200-X-03740-2017

Grant Period: From: 7/1/2016 To: 6/30/2017

Rev Code: 3730-33000-43242-X-03740-2017

Type of Grant: State

Amount Loaned from General Fund: \$2,201,092.00

Department Administering Grant: Mayor's Office/Superintendent of Schools/School Readiness Council

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this Grant:

Funds from this grant will be used to 1) significantly increase the number of accredited and/or approved slots for young children in order to provide access to high quality preschool; 2) significantly increase the number of slots for young children to receive full day, full-year child care services to meet family needs had to enable parents to become employed; 3) establish shared services for such early care and education programs among the state, its various agencies, the community and families.

Signature: 

Requested by: Mayor Daniel T. Drew

Status:

Status Date:

Councilman Thomas J. Serra reads and moves for approval Department, Committee, Commission Reports and Grant Confirmation Approval, agenda items 10A, 10B, 10C, 10D, 10E, 10F, 10G, and 10H. Councilman Grady L. Faulkner, Jr. seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Philip J. Pessina. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

11. Payment of all City bills when properly approved.

Councilman Thomas J. Serra reads and moves for approval Payment of all City bills when properly approved. Councilman Gerald E. Daley seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Philip J. Pessina. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

12. Resolutions, Ordinances, etc.

- A. Approving the naming of the pocket garden at the Farm Hill School Bus Loop entrance the Bobbi Eddinger Pocket Garden.
(Approved)
- Resolution No. 80-16
File Name cceddingerrenaming

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the Pocket Garden, created at the Farm Hill School's bus loop entrance be named the Bobbi Eddinger Pocket Garden to commemorate her memory, as a reminder of her contributions to the City she called home.

Councilman Gerald E. Daley reads and moves for approval the naming of the pocket garden at the Farm Hill School Bus Loop entrance the Bobbi Eddinger Pocket Garden. Councilman Thomas J. Serra seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E.

Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Philip J. Pessina. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

B. Approving minor terminology errors in the Personnel Rules after their approval on April 4, 2016.
(Approved)

Resolution No. 81-16

File Name gccPersonnelRulesResoltuionandRatificationofchanges 2016
Personnelrulesasratifiedwithchangesafter4-16 (Redlined Personnel Rules)

Whereas, the Personnel Rules were updated by this Council on April 4, 2016;

Whereas, on said date three minor terminology errors were discovered and after that date fixed to ensure a correct version be provided to employees;

Whereas, a corrected version with highlights showing the terms that were fixed is attached hereto.

Now Therefore, Be it resolved by the Common Council of the City of Middletown, that the changes highlighted in the attached are hereby corrected and ratified.

Fiscal Impact: None

Councilwoman Mary A. Bartolotta reads and moves for approval the minor terminology errors in the Personnel Rules after their approval on April 4, 2016. Councilman Robert P. Santangelo seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Philip J. Pessina. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

C. Approving a new job description for Lead Master Mechanic, Maximus Salary Grade 10, (\$22.80 - \$33.74), Local #466 AFSCME for inclusion in the Classification Plan.
(Approved)

Resolution No. 82-16

File Name gccleadmastermechanic; lead mastermechanic

Be it resolved by the Common Council of the City of Middletown: that the new job description for Lead Master Mechanic, Maximus Salary Grade 10, (\$22.80 - \$33.74), Local #466 AFSCME, is hereby approved in to the Maximus Classification Plan. This new position with associated job description shall be effective upon adoption.

Title:	Lead Master Mechanic		
Department:	Public Works Garage	Proposed	
Date:	May 2016	Salary Grade:	Local #466
		10	

Purpose of Position

The purpose of this position is to function as the Lead Master Mechanic in the repair and maintenance of City-owned vehicles and equipment and to assume full responsibility for the garage in absence of the Manager of Fleet Services. The work is performed under the direction of the Manager of Fleet Services.

Essential Duties and Responsibilities

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Oversees and performs skilled mechanical work in the overhaul, repair and maintenance of City vehicles, trucks, heavy and light equipment and other mechanical equipment. Inspects and diagnoses problems in vehicles and equipment.
- Assumes responsibility for garage operations in the absence of the Manager of Fleet Services.
- May assign and review work of other mechanics; assists workers with unfamiliar tasks; trains new workers; works alongside other mechanics
- Operates all vehicles and equipment to identify problems and assist the Highway department as needed. Assists the Highway department with snow removal and control functions. Ensures seasonal equipment is ready for operation.
- Performs the functions of all Garage personnel as needed; performs welding and fabrication functions as needed.
- Inspects repairs completed by in-house staff and outside vendors.
- Inspects cars, trucks and equipment for City purchase. Obtains parts for repairs.
- May assist with budget preparations including the development and review of equipment bid specifications.
- Maintains records of all work performed.
- Performs other related functions as assigned or required.

Minimum Training and Experience Required to Perform Essential Job Functions

Associate's degree, formal apprentice program or equivalent in Mechanics/Repair training with eight years of progressively responsible vehicle and equipment repair experience; or, any combination of education and experience that provides equivalent knowledge, skills and abilities. Position requires a Class A Commercial Driver's License, Motor Transport Association Commercial Brake Inspection certification, and Air Conditioning and Confined Space Licenses.

Physical and Mental Abilities Required to Perform Essential Job Functions

Language Ability and Interpersonal Communication

- Requires the ability to perform basic level of data analysis including the ability to review, classify, categorize, prioritize and/or reference data, statutes and/or guidelines and/or group, rank, investigate and diagnose. Requires discretion in determining and referencing such to established standards to recognize interactive effects and relationships.

- Requires the ability to persuade, convince, influence, train and monitor, in favor of a desired outcome. Requires the ability to act as a lead person.
- Requires the ability to utilize a wide variety of reference and descriptive data and information such as regulations, blueprints, repair orders, invoices, specifications, purchase orders, warranties, titles, daily diary, logs, memos, service records, catalogs, MSDS book, correspondence and general operating manuals.
- Requires the ability to communicate orally and in writing with the Manager of Fleet Services, garage and all Public Works' personnel, other City departments, vendors, dealers, customers and the public.

Mathematical Ability

- Requires the ability to perform addition, subtraction, multiplication and division; calculate percentages and decimals; may require the ability to perform mathematical operations with fractions and algebra.

Physical Requirements

- Requires the ability to operate equipment and machinery such as radios, torches, air conditioning units and equipment, grinders, lifts, diagnostic equipment, hand and power tools, requiring monitoring multiple conditions and making multiple, complex and rapid adjustments. Ability to repair complex equipment and machinery.
- Requires the ability to coordinate eyes, hands, feet and limbs in performing coordinated movements such as repairing vehicles and equipment.
- Tasks involve the regular and sustained performance of moderately physically demanding work, typically involving some combination of climbing and balancing, stooping, kneeling, crouching, crawling, and lifting, carrying, pushing, and pulling moderately heavy objects and materials, twenty to fifty pounds.
- Requires the ability to recognize and identify similarities or differences between characteristics of colors, shapes and sounds associated with job-related objects, materials and tasks.

Environmental Adaptability

- Ability to work under potentially dangerous and uncomfortable conditions where exposure to environmental factors such as temperature, lighting and noise extremes, vibrations, machinery or traffic hazards can cause discomfort and where there is a risk of injury.

The City of Middletown is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

Councilwoman Mary A. Bartolotta reads and moves for approval a new job description for Lead Master Mechanic, Maximus Salary Grade 10, (\$22.80 - \$33.74), Local #466 AFSCME for inclusion in the Classification Plan. Councilman Thomas J. Serra seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Philip J. Pessina. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

D. Approving creating a new line item in the Economic Development Fund entitled Distressed Property investigation in the amount of \$20,000 and approving the transfer of \$20,000 in the Economic Development Fund from line item 4330-00000-30310-0000-00000-0000-900, Fund Balance into that new line item.
(Approved)

Resolution No. 83-16

File Name PCD_DistressedPropertyInvestigationJuly2016

WHEREAS, the City of Middletown's economic future and quality of life initiatives are dependent on attracting investment; and

WHEREAS, the Department of Planning, Conservation and Development endeavors to prevent distressed properties from becoming blighted and adversely impacting our neighborhoods or commercial corridors; and

WHEREAS, the City of Middletown has been requested by property owners or neighboring property owners to actively consider ownership of distressed properties in Middletown; and

WHEREAS, the City of Middletown must perform some preliminary environmental and ownership investigation in order to ensure that the City has a comprehensive understanding of the environmental and ownership challenges that confront these problems; and

WHEREAS, the City of Middletown, in some cases, be the best party to bring these properties back to productive use, contributing the tax rolls and ensuring quality of life in Middletown's neighborhoods or commercial corridors; and

WHEREAS, the Economic Development Committee recommended approval at their June 28, 2016 meeting;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

Decrease

4330-00000-30310-0000-00000-0000-900 Economic Development Fund Balance by \$20,000.

Increase

New Line item (XXXX-XXXXX-XXXX-XXXX-XXXXX-XXXX-XXX) Distressed Property Investigation by \$20,000.

FINANCIAL IMPACT – This has a \$20,000 impact on the Economic Development Fund.

Councilman Gerald E. Daley reads and moves for approval creating a new line item in the Economic Development Fund entitled Distressed Property investigation in the amount of \$20,000 and approving the transfer of \$20,000 in the Economic Development Fund from line item 4330-00000-30310-0000-00000-0000-900, Fund Balance into that new line item. Councilman Thomas J. Serra seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Philip J. Pessina. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

E. Approving authorizing Mayor Drew to sign all documents necessary to implement the lease for Cidery at 180 Johnson Street for 1,000 square feet of incubator space.
(Approved)

Resolution No. 84-16

File Name PCD_Cidery_RRleaseJuly2016

WHEREAS, of Cidery is a new business that brews hard cider.

WHEREAS, Cidery owner, Ronald Sansone, has expressed interest in 1,000 square feet in the incubator space at the Remington Rand (180 Johnson Street).

WHEREAS, at the June 28, 2016 meeting of the Economic Development Committee, the members present agreed to move forward to the Common Council a proposed lease for Cidery at the former Remington Rand building (180 Johnson Street).

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

That the Mayor is hereby authorized to sign all documents necessary to implement the lease for Cidery at 180 Johnson Street.

FINANCIAL IMPACT –It is important to secure additional revenue to run the Remington Rand building and pay back the \$18,000 operating cost loan from the general fund. No impact on the general fund other than increasing the value of a city asset.

Councilman Robert P. Santangelo reads and moves for approval authorizing Mayor Drew to sign all documents necessary to implement the lease for Cidery at 180 Johnson Street for 1,000 square feet of incubator space. Councilwoman Deborah A. Kleckowski seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Philip J. Pessina. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

F. Approving the Variance Fees and Permit refund to Westfield Fire District in the amount of \$345.
(Approved)

Resolution No. 85-16

File Name PCD_WestfieldRefundJuly2016

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

That a Variance Fees and Permit Fee Refund be issued to Westfield Fire District in the amount of \$345.00.

Councilman Robert Blanchard reads and moves for approval the Variance Fees and Permit refund to Westfield Fire District in the amount of \$345. Councilman Thomas J. Serra seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilman Philip J. Pessina, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilwoman Deborah A. Kleckowski. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

G. Approving a bid waiver in accordance with Section 78-8 of the Middletown Code of Ordinances to allow the City to enter into a contract with Dainty Rubbish to haul garbage to Lisbon for three years and six months at \$25 per ton for the three years with an option to review for three one year terms with the option for the first year would be \$25.75 per ton and the price per ton for hauling for the next two one-year options would be negotiated at a later date.
(Approved)

Resolution No. 86-16

File Name pwDaintyRubbishbidwaiverJuly2016

WHEREAS, The City of Middletown Sanitation Department has utilized the services of Dainty Rubbish Services Inc. to haul the District's waste to Lisbon for the last 25 years; and

WHEREAS, the contract is due to expire June 30, 2016; and

WHEREAS, Dainty has agreed to reduce the loading and hauling fees from \$34.09 to \$25 per ton for the next three years and six months through December 31, 2020, with an option to renew for three one year terms. The price for trash hauling during the first option, if pursued by the City, would be \$25.75 per ton and the price per ton for trash hauling for the next two one-year options would be negotiated at a later date; and

WHEREAS, the three year six month agreement will coincide with the end of the City's commitment to transport sanitation to Lisbon, allowing for the contracts to be reevaluated at that time; and

WHEREAS, the City has had an excellent working relationship with Dainty Rubbish; and

WHEREAS, the proximity of the transfer station on Industrial Park Road in Middletown allows for the crews to travel within town to unload the waste, save on fuel, minimize vehicle wear and tear, and maximize work productivity; and

WHEREAS, the Standardization Committee met on June 20, 2016 and voted unanimously to waive the bids to continue service with Dainty Rubbish; and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That a bid waiver, in accordance with Section 78-8 of the Middletown Code of Ordinances, be approved to allow the City to enter into the aforementioned contract with Dainty Rubbish Services, Inc. for waste hauling; and

BE IT FURTHER RESOLVED: That Mayor Daniel T. Drew is hereby authorized to execute the agreement.

Councilman Gerald E. Daley reads and moves for approval a bid waiver in accordance with Section 78-8 of the Middletown Code of Ordinances to allow the City to enter into a contract with Dainty Rubbish to haul garbage to Lisbon for three years and six months at \$25 per ton for the three years with an option to review for three one year terms with the option for the first year would be \$25.75 per ton and the price per ton for hauling for the next two one-year options would be negotiated at a later date. Councilman Thomas J. Serra seconds the motion.

Councilman Daley states ECCRA, Public Works, and General Counsel have been working on this actively and were successful getting a deal from Wheelabrator and Dainty Rubbish and should save the district \$70,000 a year. Wheelabrator allowed us to agree not to include the hauling fee in the CAP. This was a good thing for the district and he commends Kori Wisneski for the work she did on this. It was a complex situation. Councilman Serra states as he said earlier this was 24 years ago and finally, we will save money. I would like to commend Gerry, Phil Pessina, Public Works, General Counsel and the Finance Department. It is great that it was done and after 24 years we got it right. The Chair thanks Kori, Tina and Bill; it is a big deal. It isn't a shiny issue but has the potential to save money for real people.

The chair calls for the vote. It is 11 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Philip J. Pessina. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

H. Approving authorizing Mayor Drew to sign an application to the State of Connecticut for an \$85,000 Local Capital Improvement Program Grant for the renovation of the front patio of the Municipal Building; approving creating a new line item in the Capital Improvement Plan entitled Municipal Building Front Patio.

(Approved)

Resolution No. 87-16

File Name pwlocipappformunicipalbuildingfrontpatio

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Mayor Daniel T. Drew be authorized to sign an application to the State of Connecticut for \$85,000 from the Local Capital Improvement Program (LoCIP) for renovation of the front patio of the Municipal Building; and

BE IT FURTHER RESOLVED: That a new line item be created in the Capital Improvement Plan entitled, Municipal Building Front Patio.

Councilman Thomas J. Serra reads and moves for approval authorizing Mayor Drew to sign an application to the State of Connecticut for an \$85,000 Local Capital Improvement Program Grant for the renovation of the front patio of the Municipal Building; approving creating a new line item in the Capital Improvement Plan entitled Municipal Building Front Patio. Councilman Carl R. Chisem seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Philip J. Pessina. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

I. Approving the building permit refund to Daniel Powell for property located at 139 Schuyler Avenue in the amount of \$243.42.

(Approved)

Resolution No. 88-16
File Name pw139schuylerAvenue

BE IT RESOLVED BY THE COMMON COUNCIL, OF THE CITY OF MIDDLETOWN:

That a Building Permit Refund be issued to Daniel Powell, for a property located at 139 Schuyler Avenue, Middletown, CT in the amount of \$243.42 due to changes in job description and proposed work.

Councilman Grady L. Faulkner, Jr. reads and moves for approval the building permit refund to Daniel Powell for property located at 139 Schuyler Avenue in the amount of \$243.42. Councilman Sebastian N. Giuliano seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Philip J. Pessina. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

J. Approving the building permit refund to Sal Mangione & Sons Construction for property located at 436 South Main Street in the amount of \$856.60.
(Approved)

Resolution No. 89-16
File Name pw436 southMainStreet

BE IT RESOLVED BY THE COMMON COUNCIL, OF THE CITY OF MIDDLETOWN:

That a Building Permit Refund be issued to Sal Mangione & Sons Construction, Inc., for a property located at 436 South Main Street, Middletown, CT in the amount of \$856.60 due to duplication of permits.

Councilman Eugene P. Nocera reads and moves for approval the building permit refund to Sal Mangione & Sons Construction for property located at 436 South Main Street in the amount of \$856.60. Councilwoman Deborah A. Kleckowski seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Philip J. Pessina. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

K. Approving the name of Webster Lane as a City Street.
(Approved)

Resolution No. 90-16
File Name pwwebsterlane

WHEREAS, the Public Works & Facilities Commission, voted 5-0 at its meeting held on June 13, 2016, to accept the following street name to be accepted as a city street name:

Webster Lane

WHEREAS, prior to the Public Works & Facilities Commission meeting, the Central Communication Director approved the street naming as there are no issues with the CAD System.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That in accordance with the Middletown Code of Ordinance, this street name is hereby approved and accepted.

Councilman Carl R. Chisem reads and moves for approval the name of Webster Lane as a City Street. Councilman Grady L. Faulkner, Jr. seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Philip J. Pessina. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

L. Approving the Health Department Public Health Block Grant allocations, as listed specifically in the resolution, for fiscal year 2016 - 2017 in the amount of \$93,750.
(Approved)

Resolution No. 91-16
File Name hdPublichealthblock16-17

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Health Department requests that the \$93,750 Public Health Block Grant (FY 16/17) be allocated as follows:

<u>Agencies</u>	<u>Amount</u>
-----------------	---------------

Women and Family Centers	\$7,000
Community Renewal Team Inc. (Summer Food)	\$11,000
Community Renewal Team Inc. (Head Start)	\$ 6,000
Neat Kids Market	\$ 2,250
MCSAAC	\$ 4,000
WESU/Green St Teaching and Learning Center	\$ 3,000
New Horizons Battered Women's Shelter	\$22,500
Communicable Disease Surveillance	\$18,000
St. Vincent DePaul (Warming Center)	\$20,000
TOTAL	<u>\$93,750</u>

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That any agency receiving a Public Health Block grant award must comply with the new matching fund ordinance.

Fiscal Impact: There is no new fiscal impact; the \$93,750 is budgeted for FY16/17.

Councilman Robert Blanchard reads and moves for approval the Health Department Public Health Block Grant allocations, as listed specifically in the resolution, for fiscal year 2016 - 2017 in the amount of \$93,750. Councilman Robert P. Santangelo seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Philip J. Pessina. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

M. Rejecting the proposed insurance reopener and off the record Board proposal to Middletown Federation of Teachers regarding the State Partnership Plan for years 2017-2018 and 2018-2019 of the Contract.
(Defeated)

Resolution No. 92-16
File Name ccboereopenerinsurance2017-2019

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That it rejects the insurance reopener and off the record Board proposal regarding the State Partnership Plan for years 2017-2018 and 2018-2019.

Councilman Eugene P. Nocera reads and moves for approval rejecting the proposed insurance reopener and off the record Board proposal to Middletown Federation of Teachers regarding the State Partnership Plan for years 2017-2018 and 2018-2019 of the Contract. Councilman Gerald E. Daley seconds the motion.

The chair states moving it for approval will get it on the floor and anyone that wants it to happen will be able to vote no. Councilman Daley states if you want the reopener negotiated to take effect we need to vote the resolution down. It is worded this way because that is the way the Statute gives us the authority to reject it. Voting no is the way to approve the insurance. Councilman Nocera commends the Middletown Board of Education staff and Councilmanic and City staff involved in seeing that this occurs. This is a savings for the city and we are appreciative of the staff's involvement in this effort. Councilman Serra states as Councilman Giuliano states it is \$450,000 in savings and with their savings with Sodexo, and the Board wanted \$3.6 million and we gave them \$2.4 in total, and if you subtract \$700,000, they are fairly where they should be to be efficient relative to delivering educational services. Kudos to the negotiators here.

The chair calls for the vote. It is 0 aye votes by None; 11 nay votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia and 1 absent by Councilman Philip J. Pessina. The Chair states the matter failed with 0 affirmative votes, 11 in opposition and 1 absent.

N. Approving the amending of Chapter 218 Licensing and Peddling of the Middletown Code of Ordinances to include to comply with current practices of the various departments in determining issuance as well as to bring Special Event licensing under the same procedure.
(Approved)

Ordinance No. 12-16
File Name Sec218Peddling andsoliciting218_Redlined draft4 2016

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Chapter 218 of the Middletown Code of Ordinances be and hereby is amended as set forth below:
Chapter 218. ~~Licensing and Peddling~~ ~~Peddling and Soliciting~~
[HISTORY: Adopted by the Common Council of the City of Middletown 2-3-1986. Amendments noted where applicable.]

GENERAL REFERENCES
Bazaars and raffles — See Ch. 115.
Food and food products — See Ch. 166.

Noise — See Ch. 206.
Parks and recreation areas — See Ch. 214.
Sales — See Ch. 241.

§ 218-1. ~~Permit or~~ License required.
Except as excluded under the provisions of this chapter, it shall be unlawful for any person, as defined herein, to solicit, peddle, or vend on an itinerant basis, as defined in this chapter, within the City of Middletown without first obtaining a ~~permit or~~ license, as the case may be, therefor from the Police Department in compliance with the provisions of this chapter. All licenses shall be issued by the Chief of Police or his/her duly authorized designee. The Chief of Police or his/her duly authorized designee shall collect the fees for all licenses issued for the use of the City of Middletown and conduct any necessary background checks as set forth herein.

§ 218-2. Definitions.
As used in this chapter, the following terms shall have the meanings indicated:

PERSON

Any individual, organization, trust, foundation, group, association, partnership, corporation, society or any combination of them, whether principal or agent, who shall:

- A. Go from place to place within the City soliciting orders for future delivery of any goods, wares or merchandise, including magazines and other printed matter, and shall include the words "solicitor" and "canvasser"; or
- B. Go from place to place within the City selling or bartering or carrying for sale or barter or exposing therefor any goods, wares or merchandise, either on foot or from any animal or vehicle, and shall include the words "peddler," "hawker" and "huckster"; or
- C. Engage in a temporary or transient business in the City either in one locality or in traveling from place to place, selling goods, wares and merchandise, and who, for the purpose of carrying on such business, shall hire, lease or occupy any building or structure for the exhibition and sale of such goods, wares and merchandise in the City.

BUSINESS

An organization or economic system where goods and services are exchanged for one another or for money. Businesses can be privately owned, not-for-profit or state-owned.

TEMPORARY OR TRANSIENT BUSINESS

Includes any exhibition and sale of goods, wares or merchandise which is carried on in any tent, booth, building, mobile unit, or other structure, unless such place is legally open for business during usual business hours for a period of at least nine months in each year.

§ 218-3. Exemptions.

[Amended 4-5-1993]

The provisions of this chapter, except as herein provided, shall not apply to:

- A. Sales made to dealers by commercial travelers or selling agents in the usual course of business; to bona fide sales of goods, wares and merchandise by sample for future delivery; to sales on approval; to conditional sales of merchandise; to taking orders for merchandise for future delivery when full payment is not required at the time of solicitation; or to the sale, distribution and delivery of milk, teas, coffees, spices, groceries, meats, bakery goods and newspapers.
- B. Sales by farmers and gardeners of the produce of their farms and gardens conducted off their own premises at a public farmers' market, provided that they register with the Police Department. A copy of such registration certificate shall be retained and displayed at the place where sales are conducted. Said public farmers' markets shall be held at the locations and dates designated by the Common Council.
- C. Sales by a local business which shall be limited to 10 days in any calendar year in a location other than that of its usual business location if such business has been established within the City and remained opened for business for at least 12 months prior hereto. The Chief of Police or his designee is authorized to issue a license to any business requesting the same, provided said business qualifies under the terms of this subsection. The fee shall be \$25 per year. If such business fails to qualify once a license has been issued for any reason under the terms of this subsection, the license shall immediately become null and void.
- D. Sales of goods, wares or merchandise on the grounds of any incorporated agricultural society during the continuance of any annual fair held by such society or any general sale, fair, auction or bazaar held or sponsored by an ecclesiastical society or church corporation or tag sales, yard sales or garage sales on premises devoted to residential use.
- E. Sales by representatives of any organization which is tax exempt pursuant to 26 U.S.C. § 501(c), as amended, provided that such representative(s) registers with the Police Department and files a copy of its letter from the Internal Revenue Service granting tax-exempt status with the City/Town Clerk. A copy of such registration certificate shall be retained and displayed conspicuously at the place where sales are conducted.
- F. Sales of goods, wares or merchandise, provided lapel pins, buttons, flowers, small flags and similar novelties and books and magazines shall not be construed to be goods, wares or merchandise within the meaning of this subsection, by a veteran who has resided within the State of Connecticut for a period of two years next preceding the date of application for such license and who served in time of war, as defined in C.G.S. § 27-103. Issuance of a license shall be stayed for seven days pending an investigation. The veteran shall produce his certificate of honorable discharge from the service or a copy thereof certified by the town clerk from the records of the town where such discharge or certificate of discharge is recorded as provided in C.G.S. § 12-93 for inspection, together with a certificate from the City/Town Clerk that the applicant is a resident of the state. Any person who makes a false representation for the purpose of obtaining a license under this subsection shall be fined not more than \$25 and said license shall be automatically revoked.

§ 218-4. Application for license ~~or permit~~; issuance; fee.

- A. Every person desiring to ~~solicit~~, peddle, or vend on an itinerant basis, as defined herein, in the City of Middletown, other than those exempted herein, shall make application under oath to the Chief of Police for a license ~~or permit~~ as hereinafter defined, as applicable, on a form provided by the Chief of Police. The license shall cover the business as well as employees and all locations, stands, and vehicles to be used by the vendor.

The application shall include but not be limited to the following information: proof of compliance with all state requirements, if any; place of residence; a physical description, including the submission of two photographs taken within 60 days of the date of application; the nature of the applicant's business; a list of employees to be covered under the license; and whether or not the applicant or any of its employees ~~has~~ have been convicted of any crime(s). A person shall, when qualified, be granted a license ~~or a permit~~, as applicable, by the Chief of Police or his designee.

- B. Each license ~~or permit~~ shall set forth a copy of the application upon which it is granted and shall not be transferable or give authority to sell goods, wares or merchandise in more than one place at the same time and shall be valid only for the person in whose name it is issued unless sooner revoked or voided by reason of having been obtained, held, or used in violation of this chapter and/or the Connecticut General Statutes. All licenses issued hereunder shall expire one year from the date of their issuance on the date listed on the license unless sooner revoked or voided under the provisions of this chapter and/or the Connecticut General Statutes. If applicable, no license issued hereunder shall continue in effect for a longer term than the unexpired period of the state license under which it is issued.

- C. No one under 16 years of age shall be eligible for a license. Except as herein provided, an application for a license shall be acted on within 60 days and, if denied, shall state the reasons therefor.

§218-5: Issuance and fee

C.

A. The fee for the issuance of a license pursuant to this chapter shall be calculated as follows:

- (1) \$10 per day (or any part thereof)
- (2) \$25 per month (or any part thereof)
- (3) \$200 per year (or any part thereof) ~~shall be \$200 per year.~~

B. The following businesses are exempt from the fees in 218-5 Subsection A and the fee for the issuance of a license shall be calculated as follows:

- (1) Auctioneers: \$50 per month, \$100 per year
- (2) Carnivals: \$100 per week
- (3) Fortune-telling, phrenologist or palmist: \$100 per year
- (4) Roller-skating: \$100 per year
- (5) Theaters and/or movie houses: \$100 per year.

C. There shall be a fee of \$5 per person for a local police record check for employees licensed under this Chapter.

~~Each location, stand or vehicle to be used by a person shall be separately licensed, and the license fee chargeable hereunder shall be paid for each such location, stand or vehicle.¹¹¹~~

[1]

Editor's Note: Amended at time of adoption of Code (see Ch. I, General Provisions, Art. II).

- D. ~~The fee for the issuance of a permit hereunder shall be \$5. Each permit is valid only for the person in whose name it is issued and for the transaction of business at the place designated therein.~~
- E. All persons as defined under Subsection C of the definition of "person" in § 218-2 herein shall be individually licensed hereunder and shall pay the license fee chargeable, whether acting as a principal or as an agent or employee of another.
- F. ~~The agent(s) and employee(s) of a licensed person as defined under Subsections A and B of the definition of "person" in § 218-2 herein shall, when qualified, be granted permits by the Chief of Police or his designee.~~
- ~~G.
No one under 16 years of age shall be eligible for a license or permit. Except as herein provided, an application for a license or permit shall be acted on within 30 days and, if denied, shall state the reasons therefor.
§ 218-65. State tax permit required.
Each person, upon applying for a license, must show acceptable proof to the Chief of Police or his designee of having been issued a current State of Connecticut sales and use tax permit pursuant to C.G.S. § 12-409 or must provide a tax exemption permit.
§ 218-76. Insurance.
[Amended 9-2-1986]~~
- A. Before any license shall be issued, the applicant must provide the endorsement adding the City of Middletown, its officers, agents, servants and employees as additional insureds on a liability insurance policy having a minimum of \$300,0001,000,000 combined single limit bodily injury and property damage liability along with a copy of said policy, which insurance shall be in force for the duration of the license hereunder covering the activity for which the license is being issued.
 - (1) The applicant shall also provide a certificate of insurance naming the City of Middletown, its officers, agents, servants and employees as certificate holders. Said certificate shall also include a notification of cancellation clause which shall provide that the issuing company will mail written notice to the certificate holder within 10 days of the proposed cancellation date of the endorsed insurance policy.
 - (2) ~~No permit license~~ shall be issued unless said endorsement and copy of the liability policy, required herein, of the principal are on file with the City of Middletown Police Department.
 - (3) It is further required that any person or duly authorized representative applying for a ~~permit or~~ license under the provisions of this chapter sign a hold harmless agreement indemnifying the City of Middletown, its officers, agents, servants and employees from any liability arising out of or in the course of his, her or its business.
 - (4) Revocation, expiration or cancellation of said insurance shall automatically render the license ~~and permit~~ granted null and void.
- B. Those persons exempted under § 218-3 and ~~those granted special event licenses under § 218-9~~ are exempt from the provisions of Subsection A of this section.
~~§ 218-8 Employee Background Checks~~ § 218-7. Permits for individual agents and employees.
- A. ~~Agents and employees of persons as defined in Subsections A and B of the definition of "person" in § 218-2 herein must obtain a permit from the Chief of Police or his designee. Such agents or employees of persons as defined in Subsections A and B of the definition of "person" in § 218-2 hereunder and duly licensed under § 218-4 herein may be issued a permit authorizing any such employee or agent to conduct business in accordance with the license for a particular location, stand or vehicle. If any such employee or agent is to work at two or more locations, stands or vehicles a permit shall be obtained for each such location, stand or vehicle by the employee or agent.~~
A. As set forth above, all licenses issued under this Article not only cover the business, but also cover the employees listed on the application. All said employees must pass a background check before being listed as an employee on the license. Before being listed on the license, the employee must report to the police department, fill out the necessary paperwork, provide a picture identification, and submit to a background check.
- B. It is the responsibility of the licensed person as defined in Subsections A and B of the definition of "person" in § 218-2 herein to notify the Chief of Police or his designee, in writing, within 10 days, of any additions to or deletions from the list of names of said employees or agents. The duration of said permit(s) shall continue in effect only so long as the license of the permittee's principal remains in effect.
~~§ 218-98. Visibility of permit or license.
Each business or person granted a permit or license, in accordance with the provisions of this chapter, shall conspicuously wear or exhibit the permit or license at all times.~~
§ 218-910. Special event licenses.
[Amended 4-25-1986; 6-2-1986]
A.
 - (1) Individuals applying for a special events license under this section must follow the licensing procedure set forth in §218-4 of this chapter.
 - (2) ~~—————~~ A special event license may be issued to persons as defined herein engaged in the sale of various products at parades, sidewalk sales, fundraising events, and other special events, all as recognized and approved by the Common Council. A special event is a sporting, cultural, business or other type of unique activity, occurring for a limited or fixed duration and presented to a live audience, that impacts the City of Middletown by involving the use of, or having impact on the public. A special event may be held on private property, so long as it has an impact on the public. A special event could be open to the public or require a ticket.
 - (3) Application for said license shall be submitted to the Chief of Police or his designee along with a fee of \$25. A list of vendors who will participate in the special event shall also be submitted to the Chief of Police or his designee in advance. Applicant and all vendors, including employees, will be subject to a background check. Under the special event license, any employees, agents, and vendors need not obtain a separate license. Employees or agents of the person licensed as required need not obtain a permit.
 - (4) ~~Said license shall be displayed conspicuously at all times. All sales under this special event license will be limited only to the hours of the parade, sidewalk sale or special event and shall be conducted where the parade, sidewalk sale or special event is being held.~~
- B. Upon application to the Common Council, the application fee of \$25 may be waived if there is a showing of financial hardship or the event is charitable in nature. In the sole discretion of the Common Council, the application fee of \$25 may be reduced to a nominal fee of \$1 and further the licensing procedure need not be followed under Subsection A when such reduction and waiver of the licensing procedure will help promote a special event which has been recognized and approved by the Common Council as being beneficial to the entire community. In exercising its discretion, the Common Council shall consider such factors as the cultural, educational, artistic, humanistic, charitable,

- scientific, literary, historic, and other benefits to the community of the special event. The sponsor shall be responsible for the collection and payment of the fee of \$1 and shall provide a list of all persons who solicited or sold, within the meaning of § ~~218-2~~ of this chapter, at the special event to the Middletown Chief of Police or his designee within two weeks of the last day of the special event. The applicant sponsor shall maintain insurance coverage as required under § ~~218-76~~ of this chapter even if said ~~sponsor applicant~~ is exempt under the provisions of § ~~218-3~~.

C.

~~Any parade, sidewalk sale or other special event sponsored by the City of Middletown shall be exempt from the provisions of this section, except that the organization hired to do or allowed to participate in the parade, sidewalk sale or other special event shall maintain insurance coverage and execute an indemnity agreement as required by said City of Middletown.~~

~~§ 218-119. Temporary or transient businesses.~~

No person as defined under Subsection C of the definition of "person" herein shall be relieved or exempted from the provisions or requirements of this chapter by reason of associating himself, herself or itself temporarily with any local dealer, auctioneer, trader or merchant, or by conducting such temporary or transient business, as defined herein, in connection with or in the name of any local dealer, auctioneer, trader or merchant.

~~§ 218-121. Sales on Main Street.~~

[Amended 4-5-1993]

A.

Any person, including those exempted under § ~~218-3~~, shall not vend, solicit, peddle or offer for sale any goods, wares or merchandise except newspapers and periodicals within the limits of the highway of Main Street except as provided in § ~~218-9~~ ~~of this chapter and Subsection B~~ hereof.

B.

From May 1 through September 15 any business located on Main Street may vend, solicit, peddle or offer for sale any goods, wares or merchandise in front of its own business only.

C.

Any person violating any of the provisions of this section shall be fined in an amount not to exceed \$100.^[1]

[1]

Editor's Note: Amended at time of adoption of Code (see Ch. I, General Provisions, Art. II).

~~§ 218-132. Proximity to schools; noise; hours of operation.~~

No person regulated under this chapter, including those exempted under § ~~218-3~~, shall operate on the public streets within 500 feet of the boundary line of property on which there is located any public or private elementary or secondary school, and said person shall not create a disturbance in the public streets by the continued blowing of a horn or other loud sound-producing device, such as a loudspeaker or equivalent thereto, but may make a signal on any street reasonably loud enough to attract attention of customers in the immediate vicinity.

No person shall make any noise or signal before 8:00 a.m. or after 6:00 p.m. for the purpose of attracting customers for his business, and no soliciting or peddling of any kind, except the vending of ice cream and refreshments, shall be conducted within the City after 8:00 p.m. of any day, and no soliciting or peddling of any kind shall be conducted after 9:00 p.m. of any day.

~~§ 218-143. Penalties for offenses.~~

[Amended 9-2-1986]

A.

Except as provided herein, any person violating any of the provisions of this chapter shall be fined not more than \$50 per violation, and any license ~~or permit~~ shall be automatically revoked in the following circumstances:

(1)

For failure of the person licensed to carry the necessary insurance coverage naming the City of Middletown, its officers, agents, servants and employees as insureds;

(2)

For any false statement(s) or misrepresentation(s) of fact which induced the issuance of the license ~~or permit~~ hereunder;

(3)

For conviction of two violations of the terms of this chapter; or

(4)

If facts arise after the issuance of the license ~~or permit~~ which, if present when the application for the license ~~or permit~~ was approved, would have resulted in a denial of the granting of said license ~~or permit~~.

B.

Upon the cancellation, revocation or expiration of any license ~~or permit~~, the person shall surrender or return the same to the Chief of Police or his designee. If said license ~~or permit~~ has been lost or destroyed, the licensee ~~or permittee~~ must submit a sworn affidavit to the Chief of Police or his designee describing such license ~~or permit~~ and showing such loss or destruction.

~~§ 218-14. Effective date.~~

~~This chapter shall apply to all applications for permits and licenses filed on or after March 4, 1986.~~

Councilman Grady L. Faulkner, Jr. reads and moves for approval the amending of Chapter 218 Licensing and Peddling of the Middletown Code of Ordinances to include to comply with current practices of the various departments in determining issuance as well as to bring Special Event licensing under the same procedure. Councilman Sebastian N. Giuliano seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Philip J. Pessina. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

O. Approving the amending of Chapter 188, from Licenses and Fees to Rental of Showmobile Unit to cover just the rental of the showmobile; licenses and fees have moved to Chapter 218 Licensing and Peddling.
(Approved)

Ordinance NO. 13-16
File Name Sec188Rental of Showmobile188-REDLINEinitialdraft4 6 16

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Chapter 188 of the Middletown Code of Ordinances be and hereby is amended as set forth below:

Chapter 188. Licenses and Fees-**Rental of Showmobile Unit**

[HISTORY: Adopted by the Common Council of the City of Middletown as indicated in article histories. Amendments noted where applicable.]

Article I. Rental of Showmobile Unit

[Adopted 3-3-1986; amended 12-5-1988]

§ 188-1. Schedule of fees.

[Amended 9-7-2010 by Ord. No. 79-10]

Fees for rental of the Showmobile shall be reviewed on a yearly basis by the Common Council and set by resolution.

§ 188-2. Conditions.

- A. All fees are based on portal to portal usage.
- B. All fees are exclusive of additional charges to be billed for personnel and subsidiary expenses as outlined by the Showmobile Policies and Procedures of the Middletown Commission on the Arts.^[1]

[Amended 1-6-2003 by Ord. No. 01-03]

[1]

Editor's Note: Former Subsection C, regarding Common Council's discretion to waive fees, which immediately followed this subsection, was repealed 9-7-2010 by Ord. No. 79-10.

Article II. General Provisions

[Adopted 10-4-1988]

§ 188-3. Issuance of licenses.

All licenses shall be issued by the Chief of Police or his/her duly authorized designee. The Chief of Police or his/her duly authorized designee shall collect the fees for all licenses issued for the use of the City of Middletown.

§ 188-4. Licenses required for certain businesses; fees.

A.

For purposes of this section, "person" means any individual, organization, trust, foundation, group, association, partnership, corporation, society or any combination of any of them, whether principal or agent.

B.

No person shall do and/or operate any of the following within the limits of the City of Middletown without first obtaining a license from the Chief of Police or his/her duly authorized designee and paying the fee therefor:

(1)

Auctioneers, per month: \$50; per year: \$100.

(2)

Carnivals, per week: \$100.

(3)

Fortune-telling, phrenologist or palmist, per year: \$100.

(4)

Roller-skating, per year: \$100.

(5)

Theaters and/or movie houses, per year: \$100.

§ 188-5. Waiver of fees.

In the sole discretion of the Common Council, the required license fee may be waived when such waiver of the licensing procedure will help promote a benefit to the entire community. In exercising its discretion, the Common Council shall consider such factors as the cultural, educational, artistic, humanistic, charitable, scientific, literary, historic and other benefits to the community.^[1]

[1]

Editor's Note: Original § 15-10, Fees to be paid for processing of applications by the Planning and Zoning Commission, which appeared at the end of this chapter, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. II). See now Ch. 223, Art. III, Land Use Application Fees.

§ 188-6. Fee for local police record check.

There shall be a fee of \$5 for a local police record check.

[1]

Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

Councilwoman Mary A. Bartolotta reads and moves for approval the amending of Chapter 188, from Licenses and Fees to Rental of Showmobile Unit to cover just the rental of the showmobile; licenses and fees have moved to Chapter 218 Licensing and Peddling. Councilman Robert P. Santangelo seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Philip J. Pessina. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

13. Mayor's Appointments (Approved)

The chair reads the substituted appointments and asks for a motion to approve.

Affirmative Action:

Appointment of Christine Sherwood to fill an unexpired term to April 30, 2017.

Clean Energy Task Force:

Appointment of Amy Albert to July 31, 2017.

Reappointment of Jennifer Kliendienst to July 31, 2017.

Complete Streets Committee:

Appointment of John Hall to July 31, 2020.

Appointment of Beth Emery to July 31, 2020.

Appointment of Ron Krom to July 31, 2020.

Appointment of Cindi Perugini to July 31, 2020.

Appointment of Amy Vaillancourt to July 31, 2020.

Appointment of Debbie Stanley to July 31, 2020.

Councilman Carl R. Chisem reads and moves for approval Mayor's Appointments. Councilman Sebastian N. Giuliano seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Philip J. Pessina. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

14. Meeting adjourned.

Councilman Thomas J. Serra reads and moves for approval adjourning the meeting. Councilman Gerald E. Daley seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Philip J. Pessina. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

The chair declares the meeting adjourned at 7:24 p.m.

ATTEST:

MARIE O. NORWOOD
COMMON COUNCIL CLERK